The Honorable Robert S. Lasnik 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 CHAMBER OF COMMERCE OF THE 10 UNITED STATES OF AMERICA; and No. 17-cy-00370-RSL RASIER, LLC 11 Plaintiffs. 12 STIPULATED MOTION TO v. RENOTE HEARING DATE FOR 13 PLAINTIFFS' MOTION FOR CITY OF SEATTLE; SEATTLE SUMMARY JUDGMENT 14 DEPARTMENT OF FINANCE AND ADMINISTRATIVE SERVICES: and FRED NOTED ON MOTION 15 PODESTA, in his official capacity as Director, **CALENDAR:** Finance and Administrative Services, City of **JANUARY 30, 2020** 16 Seattle, 17 Defendants. 18 **STIPULATION** 19 20 Pursuant to Local Rules 7(d)(1) and 10(g), and Federal Rules of Civil Procedure 34(b)(2) and 29(b), Plaintiffs Chamber of Commerce of the United States of America (the "Chamber") 21 and Rasier, LLC ("Rasier") and Defendants ("Seattle") submit this stipulated motion seeking to 22 renote the hearing date for Plaintiffs' Motion for Summary Judgment (Dkt. #100) from February 23 7, 2020 to May 8, 2020. 24 25 1. On August 7, 2019, Judge Lasnik ordered that Plaintiffs' Motion for Summary Judgment be renoted for hearing on February 7, 2020 to allow Seattle to conduct certain 26 discovery (Dkt 109). 27 STIPULATED MOTION TO RENOTE HEARING ON PLAINTIFFS' MOTION Davis Wright Tremaine LLP FOR SUMMARY JUDGMENT (17-cv-00370-RSL) - 1 LAW OFFICES 4832-9825-6051v.2 0096932-000036 920 Fifth Avenue, Suite 3300 Seattle, WA 98104-1610 206.622.3150 main · 206.757.7700 fax

11	1	2. Seattle has served requests for production on the Chamber and Rasier, and has		
3. On December 23, 2019, the Chamber and Seattle filed a joint submission under LCR 37 regarding requests for production to the Chamber. The motion sought to resolve certain discovery issues and remains pending.  4. The parties are also engaged in discussions and negotiations concerning a protective order, discovery, and other issues pertaining to the claims in this lawsuit.  5. To allow the Court and parties sufficient time to address these issues, the parties agree that Plaintiffs' Motion for Summary Judgment should be renoted for hearing on May 8, 2020.  6. No party will be prejudiced by the proposed scheduling changes.  IT IS SO STIPULATED.  DATED this 30th day of January, 2020.  Respectfully submitted,  By: s/ Timothy J. O'Connell (via email auth) Timothy J. O'Connell (wia ema	2	served a subpoena on Lyft, Inc. The Chamber, Rasier, and Lyft have provided written		
LCR 37 regarding requests for production to the Chamber. The motion sought to resolve certain discovery issues and remains pending.  4. The parties are also engaged in discussions and negotiations concerning a protective order, discovery, and other issues pertaining to the claims in this lawsuit.  5. To allow the Court and parties sufficient time to address these issues, the parties agree that Plaintiffs' Motion for Summary Judgment should be renoted for hearing on May 8, 2020.  6. No party will be prejudiced by the proposed scheduling changes.  IT IS SO STIPULATED.  DATED this 30th day of January, 2020.  Respectfully submitted,  By: s/Robert J. Maguire Robert J. Maguire Robert J. Maguire, WSBA 29909 Douglas C. Ross, WSBA 12811 DAVIS WRIGHT TREMAINE Suite 3300 Seattle, WA 98104-1610 (206) 622-3150 (206) 757-7700 FAX robmaguire@dwt.com  Attorneys for Plaintiff Rasier, LLC  Christian G. Vergonis (D.C. Bar No. 483293) (pro hac vice)  Jacqueline M. Holmes (D.C. Bar No. 450357) (pro hac vice)	3	responses and objections to Seattle's discovery.		
certain discovery issues and remains pending.  4. The parties are also engaged in discussions and negotiations concerning a protective order, discovery, and other issues pertaining to the claims in this lawsuit.  5. To allow the Court and parties sufficient time to address these issues, the parties agree that Plaintiffs' Motion for Summary Judgment should be renoted for hearing on May 8, 2020.  6. No party will be prejudiced by the proposed scheduling changes.  IT IS SO STIPULATED.  DATED this 30th day of January, 2020.  Respectfully submitted,  By: s/ Robert J. Maguire Robert J. Maguire Robert J. Maguire, WSBA 29909 Douglas C. Ross, WSBA 12811 DAVIS WRIGHT TREMAINE Suite 3300 Seattle, WA 98101 (206) 622-3150 (206) 622-3150 (206) 757-7700 FAX robmaguire@dwt.com  Attorneys for Plaintiff Rasier, LLC  Christian G. Vergonis (D.C. Bar No. 483293) (pro hac vice)  Jacqueline M. Holmes (D.C. Bar No. 450357) (pro hac vice)	4	3. On December 23, 2019, the Chamber and Seattle filed a joint submission under		
4. The parties are also engaged in discussions and negotiations concerning a protective order, discovery, and other issues pertaining to the claims in this lawsuit.  5. To allow the Court and parties sufficient time to address these issues, the parties agree that Plaintiffs' Motion for Summary Judgment should be renoted for hearing on May 8, 2020.  6. No party will be prejudiced by the proposed scheduling changes.  IT IS SO STIPULATED.  DATED this 30th day of January, 2020.  Respectfully submitted,  By: _s/Robert J. Maguire	5	LCR 37 regarding requests for production to the Chamber. The motion sought to resolve		
protective order, discovery, and other issues pertaining to the claims in this lawsuit.  5. To allow the Court and parties sufficient time to address these issues, the parties agree that Plaintiffs' Motion for Summary Judgment should be renoted for hearing on May 8, 2020.  6. No party will be prejudiced by the proposed scheduling changes.  IT IS SO STIPULATED.  DATED this 30th day of January, 2020.  Respectfully submitted,  By: _s/Robert J. Maguire	6	certain discovery issues and remains pending.		
5. To allow the Court and parties sufficient time to address these issues, the parties agree that Plaintiffs' Motion for Summary Judgment should be renoted for hearing on May 8, 2020.  6. No party will be prejudiced by the proposed scheduling changes.  IT IS SO STIPULATED.  DATED this 30th day of January, 2020.  Respectfully submitted,  By: _s/Robert J. Maguire	7	4. The parties are also engaged in discussions and negotiations concerning a		
agree that Plaintiffs' Motion for Summary Judgment should be renoted for hearing on May 8,  2020.  6. No party will be prejudiced by the proposed scheduling changes.  IT IS SO STIPULATED.  DATED this 30th day of January, 2020.  Respectfully submitted,  By: _s/Robert J. Maguire	8	protective order, discovery, and other issues pertaining to the claims in this lawsuit.		
11 2020.  12 6. No party will be prejudiced by the proposed scheduling changes.  13 IT IS SO STIPULATED.  14 DATED this 30th day of January, 2020.  15 Respectfully submitted,  16 By: s/Robert J. Maguire Robert J. Maguire, WSBA 29909 Douglas C. Ross, WSBA 12811 DAVIS WRIGHT TREMAINE Suite 3300 Seattle, WA 98104-1610 (206) 622-3150 (206) 622-3150 (206) 757-7700 FAX robmaguire@dwt.com  21 Attorneys for Plaintiff Rasier, LLC  23 Christian G. Vergonis (D.C. Bar No. 483293) (pro hac vice)  Jacqueline M. Holmes (D.C. Bar No. 450357) (pro hac vice)	9	5. To allow the Court and parties sufficient time to address these issues, the parties		
12 6. No party will be prejudiced by the proposed scheduling changes.  13 IT IS SO STIPULATED.  14 DATED this 30th day of January, 2020.  15 Respectfully submitted,  16 By: _s/Robert J. Maguire	10	agree that Plaintiffs' Motion for Summary Judgment should be renoted for hearing on May 8,		
13	11	2020.		
DATED this 30th day of January, 2020.   Respectfully submitted,	12	6. No party will be prejudiced by the proposed scheduling changes.		
Respectfully submitted,   By: s/Robert J. Maguire   Robert J. Maguire, WSBA 29909   Douglas C. Ross, WSBA 12811   DAVIS WRIGHT TREMAINE   Suite 3300   Seattle, WA 98104   1610   (206) 622-3150   (206) 757-7700 FAX robmaguire@dwt.com   Attorneys for Plaintiff Rasier, LLC   LC   Christian G. Vergonis   (D.C. Bar No. 483293)   (pro hac vice)   Jacqueline M. Holmes   (D.C. Bar No. 450357)   (pro hac vice)	13	IT IS SO STIPULATED.		
By: <u>s/Robert J. Maguire</u> Robert J. Maguire, WSBA 29909 Douglas C. Ross, WSBA 12811 DAVIS WRIGHT TREMAINE Suite 3300 Seattle, WA 98104-1610 (206) 622-3150 (206) 757-7700 FAX robmaguire@dwt.com  Attorneys for Plaintiff Rasier, LLC  By: <u>s/Timothy J. O'Connell (via email auth)</u> Timothy J. O'Connell, WSBA 15372 STOEL RIVES LLP 600 University Street, Suite 3600 Seattle, WA 98101 (206) 624-0900 (206) 386-7500 FAX Tim.oconnell@stoel.com  Michael A. Carvin (D.C. Bar No. 366784) (pro hac vice)  Christian G. Vergonis (D.C. Bar No. 483293) (pro hac vice)  Jacqueline M. Holmes (D.C. Bar No. 450357) (pro hac vice)	14	DATED this 30th day of January, 2020.		
Robert J. Maguire, WSBA 29909   Douglas C. Ross, WSBA 12811   DAVIS WRIGHT TREMAINE   Stoeller, WA 98101   Seattle, WA 98104-1610   Seattle, WA 98101   Seattle, WA	15	Respectfully submitted,		
Robert J. Maguire, WSBA 29909   Douglas C. Ross, WSBA 12811   DAVIS WRIGHT TREMAINE   Stoeller, WA 98101   Seattle, WA 98104-1610   Seattle, WA 98101   Seattle, WA	16	Ry: s/Robert I Maguire Ry: s/Timothy I O'Connell (via email auth)		
Douglas C. Ross, WSBA 12811 DAVIS WRIGHT TREMAINE Suite 3300 Seattle, WA 98101  920 Fifth Avenue Seattle, WA 98104-1610 (206) 622-3150 (206) 757-7700 FAX robmaguire@dwt.com  Michael A. Carvin (D.C. Bar No. 366784) (pro hac vice)  Christian G. Vergonis (D.C. Bar No. 483293) (pro hac vice)  Jacqueline M. Holmes (D.C. Bar No. 450357) (pro hac vice)		Robert J. Maguire, WSBA 29909 Timothy J. O'Connell, WSBA 15372		
Suite 3300 Seattle, WA 98101  920 Fifth Avenue Seattle, WA 98104-1610  (206) 624-0900 Seattle, WA 98104-1610  (206) 622-3150 Tim.oconnell@stoel.com  21 Compaguire@dwt.com  Michael A. Carvin (D.C. Bar No. 366784) (pro hac vice)  Christian G. Vergonis (D.C. Bar No. 483293) (pro hac vice)  Jacqueline M. Holmes (D.C. Bar No. 450357) (pro hac vice)	1 /			
19       920 Fifth Avenue       (206) 624-0900         20       Seattle, WA 98104-1610       (206) 386-7500 FAX         20       (206) 622-3150       Tim.oconnell@stoel.com         21       robmaguire@dwt.com       Michael A. Carvin         22       (D.C. Bar No. 366784)         23       (pro hac vice)         24       (D.C. Bar No. 483293)         25       Jacqueline M. Holmes         26       (D.C. Bar No. 450357)         (pro hac vice)	18	· · · · · · · · · · · · · · · · · · ·		
Seattle, WA 98104-1610 (206) 386-7500 FAX (206) 622-3150 Tim.oconnell@stoel.com  21 robmaguire@dwt.com Michael A. Carvin (D.C. Bar No. 366784) (pro hac vice)  23 Christian G. Vergonis (D.C. Bar No. 483293) (pro hac vice)  Jacqueline M. Holmes (D.C. Bar No. 450357) (pro hac vice)	10	, ,		
(206) 622-3150	1)			
21 (206) 757-7700 FAX robmaguire@dwt.com  22	20			
22 (D.C. Bar No. 366784) Attorneys for Plaintiff Rasier, LLC (pro hac vice)  Christian G. Vergonis (D.C. Bar No. 483293) (pro hac vice)  Jacqueline M. Holmes (D.C. Bar No. 450357) (pro hac vice)	21			
Attorneys for Plaintiff Rasier, LLC (pro hac vice)  Christian G. Vergonis (D.C. Bar No. 483293) (pro hac vice)  Jacqueline M. Holmes (D.C. Bar No. 450357) (pro hac vice)	22			
Christian G. Vergonis (D.C. Bar No. 483293) (pro hac vice)  Jacqueline M. Holmes (D.C. Bar No. 450357) (pro hac vice)	22	,		
24 (D.C. Bar No. 483293) (pro hac vice)  25 Jacqueline M. Holmes (D.C. Bar No. 450357) (pro hac vice)	23	1		
Jacqueline M. Holmes (D.C. Bar No. 450357) (pro hac vice)	24	(D.C. Bar No. 483293)		
(D.C. Bar No. 450357) (pro hac vice)	25	• '		
*		(D.C. Bar No. 450357)		
	27	(pro nac vice)		

## Case 2:17-cv-00370-RSL Document 114 Filed 01/30/20 Page 3 of 3

1 2	By: <u>s/Jessica Nadelman (via email auth.)</u> PETER S. HOLMES  Seattle City Attorney JESSICA NADELMAN	Robert Stander (D.C. Bar No. 1028454) (pro hac vice)
3	SARA O'CONNOR-KRISS  Assistant City Attorneys	JONES DAY 51 Louisiana Avenue, N.W.
4	Seattle City Attorney's Office	Washington, D.C. 20001 (202) 879-3939
5	701 Fifth Avenue, Suite 2050 Seattle, WA 98104	(202) 616-1700 FAX mcarvin@jonesday.com
6	(206) 684-8200	Steven P. Lehotsky (pro hac vice)
7	STEPHEN P. BERZON (pro hac vice) STACEY M. LEYTON (pro hac vice)	(D.C. Bar No. 992725)
8	P. CASEY PITTS (pro hac vice) Altshuler Berzon LLP	U.S. CHAMBER LITIGATION CENTER 1615 H Street, N.W.
9	177 Post Street, Suite 300	Washington, D.C. 20062 (202) 463-3187
10	San Francisco, CA 94108 (415) 421-7151	slehotsky@uschamber.com
11	Attorneys for Defendants	Attorneys for Plaintiff
12	City of Seattle et al.	Chamber of Commerce of the United States of America
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
<ul><li>23</li><li>24</li></ul>		
25		
26		
27		